



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q67403

YAGITA, Akikuni

Appln. No.: 09/998,429

Group Art Unit: 1651

Confirmation No.: 6046

Examiner: F. C. Prats

Filed: December 03, 2001

For: INTERLEUKIN-12 INDUCER AND MEDICAL COMPOSITION

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$55.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,


Louis Gubinsky
Registration No. 24,835

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: August 28, 2003



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TERMINAL DISCLAIMER

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Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, Akikuni YAGITA, represents that the petitioner, Akikuni YAGITA is the owner of the entire right, title and interest of U.S. 6,403,083, by virtue of being the inventor thereof, as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/998,429 by virtue of being the inventor thereof.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/998,429 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. patent 6,403,083, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/998,429 shall be enforceable only for and during such period that the legal title to U.S. 6,403,083 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/998,429, this agreement to run with any patent granted on the above-

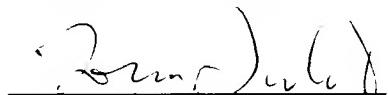
Terminal Disclaimer
U.S. Patent Application Ser. No.: 09/998,429

captioned U.S. Application No. 09/998,429 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/998,429 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. 6,403,083 in the event that U.S. 6,403,083 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned whose signature and title appear below is empowered to act on behalf of petitioner.

Respectfully submitted,



Louis Gubinsky
Registration No. 24,835

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